



**Water Resources Program**  
**Application for a Water Right Permit**

For Ecology Use  
(Date Stamp)

RECEIVED

OCT 0 3 2011

DEPARTMENT OF ECOLOGY - CENTRAL REGIONAL OFFICE

DEPT. OF ECOLOGY  
FISCAL & BUDGET

Pursuant to the Trust  
Water Right  
Agreement, this  
application is eligible  
for priority processing  
pursuant to WAC 173-  
539A-080

☐ SURFACE WATER ☒ GROUND WATER ☒ PERMANENT  
☐ TEMPORARY ☐ SHORT TERM ☐ DROUGHT

Follow the attached instructions. Attach additional sheets as necessary.

**\*A NON-REFUNDABLE MINIMUM FEE OF \$50.00 MUST ACCOMPANY THIS APPLICATION.**

**Section 1. APPLICANT**

Applicant/Business Name: <b>Cooke Creek Developers, Inc., a Washington corporation</b>	Phone No: 206-605-4545	Other No:
Address: 1000 2 <sup>nd</sup> Ave., Ste 1200		
City: Seattle	State: WA	Zip: 98104
Email Address (optional): Gaylord@saltspringventures.com		

Contact Name (if different from above): <b>F. Steven Lathrop, SC Aggregate Company, Inc.</b>	Phone No: 509-925-5622	Other No:
Relationship to Applicant: Owner of mitigation water under Certificate of Trust Water Right No. S4-01724CTCLsb7		
Address: 1572 Robinson Canyon Road		
City: Ellensburg	State: WA	Zip: 98926
Email Address (optional): steve@lwbsd.com		

Legal Land Owner or Part Owner Name of the Proposed Place of Use: Cooke Creek Developers, Inc.	Phone No: 206-605-4545	Other No:
Address: 1000 2 <sup>nd</sup> Ave., Ste 1200		
City: Seattle	State: WA	Zip: 98104
Email Address (optional): Gaylord@saltspringventures.com		

**Section 2. STATEMENT OF INTENT**

Briefly describe the purpose of your proposed project: Groundwater withdrawal for residential potable water for indoor use of 11 separate residences yet to be constructed, each to be allocated 1 ERU of the total withdrawal requested herein. It is as yet undetermined if the 11 parcels will share wells or each have its own well, or a combination thereof. It is anticipated that each ERU will be put to beneficial use as the market will allow the parcels to be developed and residences constructed thereon.

Anticipated length of time to complete your project: 20 years. The lengthy completion date is to permit applicant time to develop the parcels and sell them subject to the vagrancies of the market

For Ecology Use	APPLICATION NO: <u>64-35524</u>	SEPA: Exempt/Not Exempt
	Fee Paid: <u>500</u>	Check No: <u>151</u>
	ECY Coding: 001-001-WR1-0285-000011	
Date Returned	By	Priority Date <u>09-28-2011</u> By <u>[Signature]</u> WRIA: <u>39 Kitt</u>

**Water Use** List all purposes for which water will be applied to a beneficial use and list quantity required for each.

Purpose(s) of Use	Rate (check one box only)		Acre-Feet per Year (AF/YR) (If known)	Period of Use (Continuously or Seasonal)
	<input type="checkbox"/> Cubic Feet per Second (CFS)	<input checked="" type="checkbox"/> Gallons per Minute (GPM)		
Domestic – single	5 GPM		0.118	Continuously
Domestic – single	5 GPM		0.118	Continuously
Domestic – single	5 GPM		0.118	Continuously
Domestic – single	5 GPM		0.118	Continuously
Domestic – single	5 GPM		0.118	Continuously
Domestic – single	5 GPM		0.118	Continuously
Domestic – single	5 GPM		0.118	Continuously
Domestic – single	5 GPM		0.118	Continuously
Domestic – single	5 GPM		0.118	Continuously
Domestic – single	5 GPM		0.118	Continuously
<b>TOTAL:</b>	55 GPM		1.298	

**Short Term/Temporary Water Use**

Is this a request for a short term project (less than four months and non-recurring)? ☐ YES ☒ NO

Is this request for a temporary permit? ☐ YES ☒ NO

If yes to either question above, indicate the dates that the water will be needed:

FROM: \_\_\_\_/\_\_\_\_/\_\_\_\_ TO: \_\_\_\_/\_\_\_\_/\_\_\_\_

**Section 3. POINT OF DIVERSION OR WITHDRAWAL**  
(Complete A or B, and C below)

<b>A.) If Surface Water Source</b>		<b>B.) If Ground Water Source</b>				
<input type="checkbox"/> Spring <input type="checkbox"/> Creek <input type="checkbox"/> River <input type="checkbox"/> Lake <input type="checkbox"/> Other: _____		<input checked="" type="checkbox"/> Well(s) <input type="checkbox"/> Other: _____				
Source Name: _____		Well diameter & depth: <u>as necessary</u>				
Tributary to: _____		Number of proposed points of withdrawal: <u>11 (max)</u>				
Number of proposed diversion points: _____		Do you have an existing well? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				
Do you have an existing diversion? <input type="checkbox"/> YES <input type="checkbox"/> NO		If available, attach Water Well Report and pump test.				
		Well Tag ID No. _____				
<b>C.) Point of Diversion/Withdrawal – Legal Description</b>						
The following are possible diversion/withdrawal points if each parcel of real property has a separate well. It is possible that in the development of the parcels shared wells will be considered between certain of the parcels.						
Parcel No.	¼	¼	Section	Township	Range	County
18-20-07000-0017		NE	7	18	20	Kittitas
If known, enter the distances in feet from the point of diversion or withdrawal to the nearest section corner: Unknown						
Parcel No.	¼	¼	Section	Township	Range	County
18-20-07000-0031		NE	7	18	20	Kittitas
If known, enter the distances in feet from the point of diversion or withdrawal to the nearest section corner: Unknown						
Parcel No.	¼	¼	Section	Township	Range	County
18-20-07000-0001	NE	NE	7	18	20	Kittitas
If known, enter the distances in feet from the point of diversion or withdrawal to the nearest section corner: Unknown						

Parcel No.	¼	¼	Section	Township	Range	County
18-20-07000-0027			7	18	20	Kittitas
If known, enter the distances in feet from the point of diversion or withdrawal to the nearest section corner: Unknown						
Parcel No.	¼	¼	Section	Township	Range	County
18-20-07000-0021			7	18	20	Kittitas
If known, enter the distances in feet from the point of diversion or withdrawal to the nearest section corner: Unknown						
Parcel No.	¼	¼	Section	Township	Range	County
18-20-07000-0032	SW	NE	7	18	20	Kittitas
If known, enter the distances in feet from the point of diversion or withdrawal to the nearest section corner: Unknown						
Parcel No.	¼	¼	Section	Township	Range	County
18-20-07000-0020		NE	7	18	20	Kittitas
If known, enter the distances in feet from the point of diversion or withdrawal to the nearest section corner: Unknown						
Parcel No.	¼	¼	Section	Township	Range	County
18-20-07000-0033		NE	7	18	20	Kittitas
If known, enter the distances in feet from the point of diversion or withdrawal to the nearest section corner: Unknown						
Parcel No.	¼	¼	Section	Township	Range	County
18-20-07000-0019			7	18	20	Kittitas
If known, enter the distances in feet from the point of diversion or withdrawal to the nearest section corner: Unknown						
Parcel No.	¼	¼	Section	Township	Range	County
18-20-07000-0034			7	18	20	Kittitas
If known, enter the distances in feet from the point of diversion or withdrawal to the nearest section corner: Unknown						
Parcel No.	¼	¼	Section	Township	Range	County
18-20-07000-0035			7	18	20	Kittitas
If known, enter the distances in feet from the point of diversion or withdrawal to the nearest section corner: Unknown						

Do you own the land on which the proposed point of diversion/withdrawal is located? ☒ YES ☐ NO  
If no, do you have legal authority to make this application for use of another's land? ☐ YES ☐ NO  
Provide the owner name(s), address, and phone number: \_\_\_\_\_

<b>Section 4. PLACE OF USE</b>						
Attach a copy of the legal description of the property (on which the water will be used) taken from a real estate contract, property deed or title insurance policy, or copy it carefully in the space below.						
Parcel 4A of that certain survey as recorded January 26, 2007, in Book 33 of Surveys, pages 195 through 198, under Auditor's File No. 200701260021, records of Kittitas County, Washington; being a portion of Section 7, Township 18 North, Range 20 East, W.M., in the County of Kittitas, State of Washington.						
¼	¼	Section	Twp.	Range	County	Parcel No.
	NE	7	18	20	Kittitas	18-20-07000-0017

Parcel 4B of that certain survey as recorded January 26, 2007, in Book 33 of Surveys, pages 195 through 198, under Auditor's File No. 200701260021, records of Kittitas County, Washington; being a portion of Section 7, Township 18 North, Range 20 East, W.M., in the County of Kittitas, State of Washington.						
1/4	1/4	Section	Twp.	Range	County	Parcel No.
	NE	7	18	20	Kittitas	18-20-07000-0031
Parcel 5 of that certain survey as recorded May 31, 2006, in Book 32 of Surveys, pages 192 through 197, under Auditor's File No. 200605310029, records of Kittitas County, Washington; being a portion of Section 7, Township 18 North, Range 20 East, W.M., in the County of Kittitas, State of Washington.						
1/4	1/4	Section	Twp.	Range	County	Parcel No.
NE	NE	7	18	20	Kittitas	18-20-07000-0001
Parcel 7 of that certain survey as recorded May 31, 2006, in Book 32 of Surveys, pages 192 through 197, under Auditor's File No. 200605310029, records of Kittitas County, Washington; being a portion of Section 7, Township 18 North, Range 20 East, W.M., in the County of Kittitas, State of Washington.						
1/4	1/4	Section	Twp.	Range	County	Parcel No.
		7	18	20	Kittitas	18-20-07000-0027
Parcel 8A of that certain survey as recorded January 26, 2007, in Book 33 of Surveys, pages 195 through 198, under Auditor's File No. 200701260021, records of Kittitas County, Washington; being a portion of Section 7, Township 18 North, Range 20 East, W.M., in the County of Kittitas, State of Washington.						
1/4	1/4	Section	Twp.	Range	County	Parcel No.
		7	18	20	Kittitas	18-20-07000-0021
Parcel 8B of that certain survey as recorded January 26, 2007, in Book 33 of Surveys, pages 195 through 198, under Auditor's File No. 200701260021, records of Kittitas County, Washington; being a portion of Section 7, Township 18 North, Range 20 East, W.M., in the County of Kittitas, State of Washington.						
1/4	1/4	Section	Twp.	Range	County	Parcel No.
SW	NE	7	18	20	Kittitas	18-20-07000-0032
Parcel 9A of that certain survey as recorded January 26, 2007, in Book 33 of Surveys, pages 195 through 198, under Auditor's File No. 200701260021, records of Kittitas County, Washington; being a portion of Section 7, Township 18 North, Range 20 East, W.M., in the County of Kittitas, State of Washington.						
1/4	1/4	Section	Twp.	Range	County	Parcel No.
	NE	7	18	20	Kittitas	18-20-07000-0020
Parcel 9B of that certain survey as recorded January 26, 2007, in Book 33 of Surveys, pages 195 through 198, under Auditor's File No. 200701260021, records of Kittitas County, Washington; being a portion of Section 7, Township 18 North, Range 20 East, W.M., in the County of Kittitas, State of Washington.						
1/4	1/4	Section	Twp.	Range	County	Parcel No.
	NE	7	18	20	Kittitas	18-20-07000-0033
Parcel 11A of that certain survey as recorded January 26, 2007, in Book 33 of Surveys, pages 195 through 198, under Auditor's File No. 200701260021, records of Kittitas County, Washington; being a portion of Section 7, Township 18 North, Range 20 East, W.M., in the County of Kittitas, State of Washington.						
1/4	1/4	Section	Twp.	Range	County	Parcel No.
		7	18	20	Kittitas	18-20-07000-0019
Parcel 11B of that certain survey as recorded January 26, 2007, in Book 33 of Surveys, pages 195 through 198, under Auditor's File No. 200701260021, records of Kittitas County, Washington; being a portion of Section 7, Township 18 North, Range 20 East, W.M., in the County of Kittitas, State of Washington.						
1/4	1/4	Section	Twp.	Range	County	Parcel No.
		7	18	20	Kittitas	18-20-07000-0034 and 18-20-07000-0028 ✓
Parcel 11C of that certain survey as recorded January 26, 2007, in Book 33 of Surveys, pages 195 through 198, under Auditor's File No. 200701260021, records of Kittitas County, Washington; being a portion of Section 7, Township 18 North, Range 20 East, W.M., in the County of Kittitas, State of Washington.						
1/4	1/4	Section	Twp.	Range	County	Parcel No.
		7	18	20	Kittitas	18-20-07000-0035

Do you own all the lands on which the proposed place of use is located? ☒ YES ☐ NO.

If no, do you have legal authority to make this application for use of another's land? ☐ YES ☐ NO

Provide owner name(s), address, and phone number: \_\_\_\_\_

Are there any other water rights or claims associated with this property or water system? ☒ YES ☐ NO

If yes, provide the water right and/or claim numbers: Water budget neutral mitigation will be provided under Certificate of Trust Water Right No. S4-01724CTCLsb7.

The following irrigation and stock water rights subject to and described in Ecology v. Acquavella, Yakima County Cause No. 77-2-01484-5 and appurtenant to the property: Claimant Name: Cooke-Coleman L.L.C., Court Claim No. 00927, affecting portions of parcels within the W ½ NE ¼ and the E ½ NW ¼; Claimant Name: Cooke-Coleman L.L.C., Court Claim No. 01141, affecting portions of parcels within the NE ¼ SW ¼ and the NW ¼ SE ¼ and the north 600 feet of the N ½ SE ¼; and Claimant Name: Cooke-Coleman L.L.C., Court Claim No. 01141, affecting portions of parcels within the E ½ NE ¼, all in Section 7, T. 18 N., R. 20 E. W.M.

**Attach a map of your project showing the point of diversion/withdrawal and place of use. If platted property, be sure to include a complete copy of the plat map.**

**Section 5. WATER SYSTEM DESCRIPTION**

Describe your proposed water system (include type and size of devices used to divert or withdraw water from source): Domestic water wells for 11 single family residences yet to be constructed. These water systems and the groundwater right applied for herein shall be subject to all terms and conditions of that certain Trust Water Right Agreement entered into by and between SC Aggregate Company, Inc., a Washington Corporation ("SC"), and the State of Washington Department of Ecology, Yakima River Basin Trust Water Rights Program dated February 12, 2010, as now or hereafter amended; the terms and conditions of that certain Mitigation Water Purchase Agreement entered into by and between SC and Cooke Creek Developers, Inc., a Washington corporation dated June 15, 2011; and such other terms and conditions as may be imposed by the Department of Ecology; and including, but not limited to, any deed restrictions and/or covenants that are or shall be placed against the property to which this groundwater permit is to be appurtenant. .

**Section 6. DOMESTIC WATER SUPPLY SYSTEM INFORMATION**  
(Complete A or B, and C below)

A.) Domestic Water Systems only	B.) Municipal Water Systems only (defined under RCW 90.03.015)
Projected number of connections to be served: <u>11</u>	Present population to be served water: _____
Type of connections: <u>home</u> (e.g., home, recreational cabin)	Estimate future population to be served: _____ (20 year projection)
<b>C.) Water System Planning</b>	
Do you have a Water System Plan approved by the Washington State Department of Health, Drinking Water Division? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If yes, date plan was approved ____ / ____ / ____ Water System Number: _____	
Name of water system: _____	
Are you within the service area of an existing water system? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If yes, explain why you are unable to connect to the system: _____	
_____	
_____	
_____	
_____	

## Section 7. IRRIGATION/STOCKWATER/OTHER FARM USES

### Irrigation

Total number of acres requested to be irrigated under this application = 0 ACRES

NOTE: Outline the area to be irrigated on your attached map.

### Stockwater

List number and kind of stock: n/a

Is the proposed project for a dairy farm? ☐ YES ☒ NO

### Other Proposed Farm Uses

Describe all proposed uses: n/a

### Family Farm Water Act (RCW 90.66):

Calculate the acreage in which you have a controlling interest, including only:

- Acreage irrigated under water rights acquired after December 8, 1977,
- Acreage proposed to be irrigated under this application, and
- Acreage proposed to be irrigated under other pending application(s).

Is the combined acreage under existing rights greater than 6000 acres? ☐ YES ☒ NO

Do you have a controlling interest in a Family Farm Development Permit? ☐ YES ☒ NO

If yes, enter Permit No: \_\_\_\_\_

## Section 8. OTHER WATER USES

### Hydropower

Indicate total feet of head n/a and proposed capacity in kilowatts: \_\_\_\_\_

Describe works: \_\_\_\_\_

Indicate all uses to which power is to be applied: \_\_\_\_\_

FERC License No: \_\_\_\_\_

### Mining/Industrial Use

Describe use, method of supplying and utilizing water: n/a

### Other Use

n/a

## Section 9. WATER STORAGE

Will you be using a dam, dike, or other structure to retain or store water? ☐ YES ☒ NO

Are you proposing to store more than 10 acre-feet of water? ☐ YES ☒ NO

Will the water depth be 10 feet or more? ☐ YES ☐ NO

If you answered yes to any of the above questions, please describe: \_\_\_\_\_

\_\_\_\_\_

NOTE: If you will be storing 10 acre-feet or more of water and/or if the water depth will be 10 feet or more at the deepest point and some portion of the storage will be above grade, you must also complete an Application for Permit to Construct a Reservoir and a Dam Construction Permit and Application.

## Section 10. DRIVING DIRECTIONS

Provide detailed driving directions to the project site: From Ellensburg Washington: East on Vantage Hwy to No. 81 Rd; North on No. 81 Rd (3 miles) to Brick Mill Rd; East on Brick Mill Rd (1.25 miles) to Cooke Canyon Rd; North on Cooke Canyon Rd (2 miles) to Gage Rd; East on Gage Rd (appx ½ mile) to private road – Snipe Rd.; another ¼ mile to Colockum Rd. Project area is bounded on the north by Gage Rd and the East by Colockum Rd; Snipe Rd is a private internal road of the project area.

Site Address: 201 Snipe Ln; nkn(s) Snipe Ln; nkn(s) Gage Rd; and/or nkn(s) Colockum Rd;

## Section 11. REQUIRED SIGNATURES

I certify that the information provided in this application is true and accurate to the best of my knowledge. I understand that in order to process my application, I grant staff from the Department of Ecology access to the site for inspection and monitoring purposes. Even though the employees of the Department of Ecology may have assisted me in the preparation of the above application, all responsibility for the accuracy of the information rests with me, the applicant.

Gaylord Kellogg, President Cooke Creek Developers, Inc.

Print Name

(Applicant or authorized representative)

Signature

Date

Gaylord Kellogg, President Cooke Creek Developers, Inc.

Print Name

(Legal Owner or Part Owner Place of Use)

Signature

Date

F. Steven Lathrop, President SC Aggregate Company, Inc.

Print Name

(Legal Owner Mitigation Water and Contact)

Signature

Date

Please check the region in which the project is located:

<b>*Submit your application to:</b>  DEPARTMENT OF ECOLOGY CASHIERING SECTION PO BOX 47611 OLYMPIA, WA 98504-7611	<input checked="" type="checkbox"/> <b>Central Regional Office</b> 15 W Yakima Avenue, Suite 200 Yakima, WA 98902 (509) 575-2490	<input type="checkbox"/> <b>Eastern Regional Office</b> 4601 N. Monroe Spokane, WA 99205-1295 (509) 329-3400
	<input type="checkbox"/> <b>Northwest Regional Office</b> 3190 – 160 <sup>th</sup> Avenue SE Bellevue, WA 98008-5452 (425) 649-7000	<input type="checkbox"/> <b>Southwest Regional Office</b> PO Box 47775 Olympia, WA 98504-7775 (360) 407-6300

If you have questions about your application, contact the Water Resources program at the regional office in which your project is located.

